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FOREWORD

GLOSSARY

In this essay, the following non-English terms and abbreviations are used frequently and they will be written in the Arabic transliteration for ease and brevity;

1. Quran --- Quran;(Book revealed to Prophet Muhammad).
2. Hadith - sing,Ahadith-pl;prophetic saying of Muhammed (S.A.W.)
3. SAW --- Sallallahu Alaihi Was Sallam, peace and blessing be upon him.
4. RA --- radiallahu anhu/anha;Allah be pleased with him/her.
5. Mehr --- dowry - bridal money.
6. Rabb --- The Lord,The Owner,(Creator, Sustainer, Provider,All-Wise),(The Provider).
7. Rasul of Allah --- Prophet of Allah;who was given the book,An Apostle.
8. ayat - sing;ayaat pl.-verse/s.
9. as or a.s. -- allaihis salaam;peace be upon him.
10. Jan-nah -- paradise,garden.
11. Nabuwat -- prophethood.
12. Risalat - apostleship.
13. Khilafaat - vicegerency,deputy,successor.
14. Amir --- Leader.
15. Hawa --- Eve.
16. Musa --- Moses.
17. Sunnat --- The way of the Rasul of Allah;A path,A way,A manner of life.
18. Shariat --- the sanctioned road of Allah;Islamic law based on Quran,Hadith,Ijima & Qiyas.
19. Wahy --- divine revelation.
20. Maharam --- one with whom marriage is illegal.
21. Purdah --- veil.
22. Jama"ah --- congregation;group.
23. Jum"ah --- Friday.
24. Imamaat --- leadership.
25. Salaat --- prayer.
26. Imamaat sugra --- minor leadership.
27. Imamaat khubra --- major leadership.
28. Haqq --- right.
29. Athan --- call for prayer.
30. Janazah --- funeral,service of a Muslim.
31. Ijima -- unanimous consent of the learned men of Islam.
32. Qiyas -- To compare the fourth foundation of Islamic Jurisprudence in which logical reasoning is used by learned people in teaching al-Islam.

TRANSLITERATION OF ARABIC WORDS

The following system has been used in this thesis -

(1) = a
(2) = b
(3) = t
(4) = th
(5) = j

(6) = h
(7) = kh
(8) = d
(9) = dh
(10) = r
(11) = z
(12) = s
(13) = sh
(14) = s
(15) = d
(16) = t
(17) = z
(18) = x
(19) = g
(20) = f
(21) = q
(22) = k
(23) = l
(24) = m
(25) = n
(26) = h
(27) = w
(28) = y
(29) = c
(30) = 1
(31) = 2
(32) = e (fathah)
(33) = i (kasiah)
(34) = . (sukun)
(35) = uu }
(36) = eca } tanwin
(37) = ii } combinations.
(38) = aa

1.WOMEN'S LEADERSHIP IN ISLAM

With Benazir Bhutto's success in the November 1989 elections in Pakistan,and Khalida Zia winning elections in 1991 in Bangladesh,many questions concerning the women's role in politics have been thrown up in the Islamic world.Thus,the need was felt for an investigation into the role of women in Islam with special reference to politics.This study looks at the question in an academic light using religious sources,

commentaries and modern research into the subject area.

In his studies of notable journals,periodicals and books dealing with women's role and Islamic politics,the author noted three major categories.

1.1. Those that do not discuss female leadership, although they deliberate on the general role of women in Islam.
1.2. Those that argue against women becoming Amirs/Leaders of States without, substantiation.
1.3. Those that state that women cannot become Leaders, providing minimal or flimsy substantiation for their arguments.

These three categories will be referred to as the essay progresses.

(As for the above see Appendix 1. 2. 3. respectively.) pp.________

A need was therefore felt for a detailed,exposition,using the Quran and Ahadith, as the main sources of Islamic law to bring to light Allah's law concerning women's leadership in Islam. By probing thus,one will be able to establish authoritatively what the general role of women is according to Allah's wisdom, Also,spheres of activity prescribed for men and women may surface while the law governing women's role is probed.

1.4 The thesis rotates around ayat (verse) 4:34 with the various commentators opinions on it.Moreover the views of modern researchers on the various aspects of the commentaries are stated.In this exposition the Quran,which is undoubtedly the root of all jurisprudence,is used as a primary source, together with the Ahadith and commentaries.

The Ahadith also called the sunnat,is a collection of the sayings of Muhammed (S.A.W.),and is the second source of proof in Islam.

As explained,the Sunnat has been classified as the second source of law,next to the Noble Quran.The word Sunnat means, an act done,or a confirmation given by Muhammad (S.A.W). " Confirmation" dates means something said, or done,which is transmitted to Muhammad (S.A.W.) who either confirms it in express terms or remains silent without giving any indication of disapproval.Such silence is also Sunnat.

1.5 Allah in the Noble Quran repeatedly calls for the adherence to the Sunnat of Rasulullah (S.A.W.).This proclamation applies to all fields of experience,namely,the political,social,economic,in worship,etc.

The supporting verses prove conclusively that conformity to the way,manner of speaking,mode of conduct,tactics,approval, silent approval,rejection and even displeasure of Rasulullah (S.A.W.) leads to the formation of Shariat - the sanctioned road.

"Say,obey Allah and His Rasul,but if they turn their backs, Allah loves not the disbelievers."

"And obey Allah and the Rasul so that you may be blessed."

"O those who believe,obey Allah and the Rasul and those in authority among you."

"And obey Allah and the Rasul and beware."

"So fear Allah and set things right between yourselves and obey Allah and His Rasul if you are believers."

"And whatever the Rasul gives you accept it and whatever he forbids you abstain from it."

"And whoever disobeys Allah and His Rasul and transgresses His limits,He shall admit him into the fire where he shall remain."

"And whoever disobeys Allah and His Rasul has gone astray into manifest error."

"And whoever obeys the Rasul,there by obeys Allah."

"And if you obey Him (the Rasul),you shall find the right path." (See footnotes for more references.)

1.6 The need to follow the Rasul can be understood from the appropriate verses;

"And the Rasul does not speak out of his own desire.It is not but Wahy (divine revelation) revealed (to him)."

"Say,if you love Allah,follow me and Allah will love you and forgive your sins."

"Certainly you have in the Rasul of Allah a beautiful pattern (of conduct) for him who hopes in Allah and in the last day and remembers Allah much."

1.6 Thus the importance of following directives from the Ahadith has been firmly established.In this essay,quotations from the Ahadith will be taken to be the law of Allah concerning women in Islam.

The intention is to pursue a broad chronological sequence,beginning with the story of the Queen of Sheeba and the Prophet King Suliman as depicted in the Quran;then viewing the conditions of women in the Days of Ignorance,prior to the advent of Muhammed (S.A.W.),followed by the directives received from the Quran and Ahadith about women.Finally,the incident of the Battle of Camel (Jamel) will be related briefly, with comments.

2. HERMENEUTIC APPROACH

The word "hermeneutics" is derived from a Greek word which means "to interpret".According to Kruger,hermeneutics is defined as: "...the word should not be restricted to texts only,it also applies to the understanding of works of art, music and so on.And it should not be restricted to the understanding of something in the past;it also refers to the understanding of contemporary things."

2.1 In this study,an investigation is undertaken to determine what Allah's order is concerning female leadership,using this as a central hermeneutical concept for a search to adjust life to the level of the text.The central thesis and source for the argument will be verse 4:34.

3. QUEEN OF SHEEBA;BILKIS

Another common conclusion erroneously reached by many people in their support for female leadership is the story of Prophet King Solomon,and Bilkis - the Queen of Sheeba.I shall disprove this misconception after summarizing the relevant contents of the Quran in point form:

3.1 Above the quoted verses of Number describe the story of Prophet King Suliman and Bilkis,Queen of (Sheeba).So me say that based on these verses, women can become leaders of a nation or a country. However the passages reveal the following:

3.1.1.) Queen Bilkis ruled over her people,and the symbol and seat of authority was her magnificent throne.

3.1.2.) King Suliman called her to submit to his religion his rule,his Kingdom.

3.1.3.) She feared King Suliman would destroy her Kingdom if she did not submit.

3.1.4.) King Suliman returned her gift and threatened to attack her Kingdom to disgrace her.

3.1.5.) A period under the instruction of a Suliman brought over her throne (seat of government).

3.1.6.) She came from a disbelieving people.

3.1.7.) She submitted with Suliman to Allah.

3.1.8.) Queen Sheeba did not make unilateral decisions but consulted her cabinet.

From the above a pertinent fact emerges.The Queen ruled before she submitted to the will of Allah and accepted Islam.This fact alone cuts through the backbone of the arguments for female leadership.So ridiculous is this proof that it is like using the actions of the pre-islamic idolaters as proof for an Islamic practice.

Queen Sheeba's leadership was in the state of Kufr

(disbelief).Muslims follow the Deen as expounded by Muhammad and Islam as opposed to Bilkis, in the state of Kufr.
Also,once Muhammad had proclaimed that a law contrary to an existing one,for example,then that proclamation would be adhered to.Moreover she,Bilkis,submitted to Suliman's law and Suliman took over her kingdom by taking control of her throne (seat of government).

Critics have taken the leadership aspect out of context.In context,one has to admit that had Bilkis even been a Muslim (which she was not) at the time of her rule, she was overthrown by a prophet.This point gives greater weight against female leadership than for it.

Lastly,the fact that after submitting to Islam,she did not reclaim her throne implies that even Bilkis agreed to be ruled by a male.The arguments in favour of female leadership using this story is therefore baseless.

Allah says;

> " Men are in charge (or;are the protectors) of women,because Allah has given preference to the one over the other that is (men),to provide support for (women) from their means.
> Therefore righteous women are obedient..."

4. CIRCUMSTANCES FOR REVELATION OF VERSE Q.4:34.

Saeed bin Rabi slapped his wife Jabia,because of some problem. Her father took her to Nabi (S.A.W.),complaining about his son-in-law.Nabi (S.A.W.) stated that there should be equal retribution.

Jibrael (A.S) came down with this verse "Men are ..."; Nabi (S.A.W.) called them and said:"I desire something whilst Allah desires something else and there is goodness in what Allah desires.

Jane I.Smith states;
"A number of factors make the situation of women difficult to describe as well as to assess. The issue of the role of women in Islam is an extremely sensitive one today both in the Muslim world and in the world of Western scholarship."

Samar F.Masaud advises;
"It is therefore,imperative for any Muslim government to have clear-cut idea about the rights and responsibilities of Muslim women in order to form a real Islamic society."

5. The position of Women:Expounding on verse 4:34.

We proceed to investigate the law and order of Allah in the light of the Quran,and hadith using also various translations with comments from scholars of the past and present.

5.1.

Mufti Shafi explains after translating 4:34 as "Men are rulers over women"that..." for any congregational organizational activity it is necessary,according to intelligence and common folk law that there should be a head, an amir or Hakim (ruler) so that at the time of difference of opinion one may take directives Allah has chosen men due to their superiority in knowledge and action and this is such an obvious matter that no understanding woman or man will deny it."

On p.396 and 397 he expounds:
"...just as man's head is superior to his hand, or man's heart is superior to his liver, just as the superiority of the head over the hand does not lessen the status and importance of the hand,similarly man being the ruler over woman does not lessen her position,for both are like parts and components-man the head and woman the body."

Moreover on p.398,he mentions the reason for differences of responsibility;-
"...before marriage her expenses are borne by her father and afterwards, on marriage, by her husband...
"... due to her physique the responsibility of earning and providing is on the man and not on her...
"...one must not think that women have been made dependent on the man's maintenance and as a result her position is the lesser,but due to the division in ruling there is a division of duties also..."

5.2. Why men are regarded as superior

Men's superiority is due to knowledge,action,physique and power of spending on women which gives rise to different responsibilities and duties.This however does not lessen the value and importance of women. Allah states;-
"He said;Allah has chosen him (Taloot--Saul) to rule over you and made him grow in knowledge (wisdom) and physique (stature),Allah gives his sovereignty to whom He wills. He is Munificent and All-Knowing."
These two qualities,ie.knowledge and physique,are prominent in men, not women.They qre qualities regarded as indispensable requirements for leadership.

"And WE SAID TO ADAM -dwell with your wife in Jannat (paradise) and eat of it as much as you wish and whatever you will but keep away from THIS tree, least you shall become transgressors."

Adam,the male,was addressed and given injunctions with the responsibility towards the female under him.The consequences of her actions would also be his responsibility.

The author of Tafseer Haqqani,after translating verse 4:34 as "Men are rulers over women...", states;-
There are two types of superiority... one, ZAATI (being),which Allah has created in man's being, the other AARDHI (temporary),due to what man spends on her"

From this it is derived that the causes of superiority are

firstly,one which is natural and secondly,one which is due to man's maintenance of women.

Elucidating on verse 4:34,Moulana idris Khandhlevi writes;- "The reasons for man's superiority (same as Tafseer Haqqani) are differences due to superior intellect,knowledge, understanding,proper organization,insight and foresight, physical strength and ability to act..thus nabuwat,imamaat, khilafat,kingship and witnesses are all for men,on them is the privilege of jumuah,jihaad,eidaan,azaan,khutba,jamaat, inheritance laws,control in nikah contract,marriage to more than one wife,choice of divorce,and ability to complete the salaat without disturbance,fast,and freedom from menstruations,post-nuptial discharge of blood and delivery of babies.

5.3. Qualities Valued In Women

The qualities which Islam values in women are those of obedience and fidelity which can both be found in virtuous women.

Then,commenting on the latter part of verse 4:34,he (Mufti Shafi) in order to define an obedient wife quotes two ahadith; "Best is the one that when you look at her she pleases you and when you ask her to do something she obeys you and when you are away from her,she protects you by protecting her virtue and your property"

"It is (recorded in) one hadith that Rasulullah (S.A.W.) said; "A woman who is obedient and submissive to her husband,for her the birds in the air (skies),fishes in the oceans,angels in the skies,wild animals in the jungles seek forgiveness." (Bahr Muheet)

5.4. Men and Women In Contrast

The difference between man and woman is like the difference between an orange and a corn,the orange grows on the tree and the corn on the ground.This does not imply that one is superior to the other.Both provide nourishment in different fields and due to the physical strength of each plant,they are naturally allotted positions which provide optimum protection for/to each other.

She has physical weaknesses,thus she cannot compete with men,the weak cannot rule over the strong.Destiny and fate has kept softness and delicateness in the constitution of women while strength and vigour in the man,thus to be enlisted in the army,to take part in war wherein to kill or be killed, display courage,valour and bravery in the battlefield,to control the reins of government and protect the borders with supervision and to maintain the government,requires a great deal of intensive action which a man is capable of and the weakness of woman,due to pregnancy and delivery makes her helpless,which is an open proof.

"Women shall with justice have rights similar to those

exercised against them,ALTHOUGH MEN HAVE A STATUS ABOVE WOMEN, Allah is Mighty and Wise"

The one (male) with the higher status rules over the one with the lower status (female).

In "Bukhari", Muhammad (S.A.W.) explains the intellect and deen of women;-Narrated Abu Said A;-Khudri (RA):"Once The Rasul of Allah (S.A.W.) went out to the Musalla (to offer the prayer) of Id-al-Adha or Idal Fitr prayer.Then he passed by the women and said,"O women! Give alms,as I have seen that the majority of the dwellers of Hell-fire were you (women)." They asked, "Why is it so, O Rasul of Allah (S.A.W.)?" He replied, "You curse frequently and are ungrateful to your husbands. I have not seen anyone MORE DEFICIENT IN INTELLIGENCE AND DEEN (RELIGION) THAN YOU."

"A cautious sensible man could be led astray by some of you."
The women asked,"O Rasul of Allah (S.A.W.)! What is deficient in our intelligence and deen?"He said,"Is not the evidence of two women equal to the witness of one man?"They replied in the affirmative.He said,"This is the deficiency in your intelligence.Isn't it true that women can neither pray nor fast during her menses?" The women replied in the affirmative. He said,"This is the deficiency in your deen".
Moreover Allah clarifies the position of women as witnesses by stating;-

"And call to witness from among your two men witnesses,but if there be not two men (available),let there be A MAN AND TWO WOMEN of those you choose for witnesses, so that if one of the two (women) errs,THE OTHER MAY REMIND HER"
In rendering evidence,two women equal one male,for her memory fails often and forgetfulness shrouds her.This quality is not conducive to proper leadership.

The differences between man and woman are clear as explained by Al-Khuli;

"The differences between males and females are due to:
(a) [a woman's] menstruation,conception,giving birth, breast feeding,staying up nights,and hard work during the day.[These] lead a woman to symptoms of depression and weakness of constitution.The man is free from all this.
(b) Her work at home is limited in scope and experience; it is almost routine.As for the work of the man,it is wide in scope,extensive in experience and varied in relationships,full of scheming and artfulness. This leads to a marked difference in their intellectual capacity.

(c) The woman in singing lullabies to her child does not need a powerful brain,or perfect genius; rather,she needs a kind nature and a gentle disposition.Nothing gives her more joy than to descend to the level of her child and to live with him in the scope of this world,

thinking with his brain,playing and walking in his language,playing with whatever pleases him."

As for the male,he does not need affection to deal with people outside,rather he needs perseverance and strength of character,incisive intellect and initiative.
A woman is obsessed with the forbidden because she is silly,she has bad faith,she contradicts,she is ignorant,has a weak will and is incapable of patience in adversity.All this is because of a natural weakness in character.... She is similar to a developing child in her instinctive ignorance and curiosity.Ignorance and curiosity are concerned with destruction before they are trained to lead to constructive purposes.

Thus Islam gives precedence to man because of the way he is created for he has been endowed with characteristics and capabilities,both physical and intellectual which have not been given to women,that enable him to earn a living.
Furthermore,scientific research has found that there are biological,physiological,and psychological differences which account for the "higher percentage of geniuses among men and the higher incidence of imbeciles among women.

"Islam is the religion of innate nature," says Ahmad Shalaby,"as it admits that man is better than woman in certain matters...." And a work,sanctioned as official Islamic doctrine by the Muslim World League in 1973,discussing the verse cited above, declares:

"...When once we admit that the physical and intellectual superiority of man over woman has to depend upon,and take advantage of,the intellectual resources and superior strength of the opposite sex;and this is precisely what Muslim doctors hold to be important and significance about the verse under consideration."

5.5. Various Possibilities

There are a number of possibilities that can be considered, but three which in this context seen the most logical:

5.5.1. men are rulers and women are subjects;

5.5.2. women are rulers and men are subjects;

5.5.3. both are on a par - no one is ruler and no one is subject;

Shariat has opted for the first possibility that men are rulers (maintainers) over women; due to this, the man's responsibility is the total maintenance of the woman.If the man is not the ruler as in the second possibility, then the dowry which is due to the woman, will not be compulsory and the woman will not be responsible for all the man's expenses, this will include bringing up and educating the children,as well as all the living expenses.If women opt for the third

possibility,(neither men nor women are rulers or subjects) then in the first instance the dowry is terminated,the need for maintenance of children falls away,since equality demands that each one (man/woman) fends and is responsible for him or herself. Every shared expense, ie. food, accommodation, children's education, clothing must be borne equally ie. half by the man and half by the woman. Any personal expenditure,for example clothing, has to be borne individually.She has to accept the responsibilities on equal terms as well.

5.5.4. Physical And Mental Attributes Of Men, Which Women Lack

The decision which Shariat made is lofty and full of wisdom and is in favour of women and there could be no other beneficial decision for them. Allah (Haq Taala) has made her subject to her husband due to her weakness, feebleness and difficulty she would experience in making a living;she should feel proud of her femininity and delicateness, while leaving the responsibility of providing for a family to the man,thus freeing herself from extra burdens.(Mariful Quran;p.71-72)

Muhammad al-Ghazzali asserts that "the concepts... of the supposed inferiority of woman as such in Islam is pure fiction and should be completely disregarded. On the other hand, the marked differences in the physical, mental, and emotional constitution of man and woman is a brute fact." He then goes on to say that "In the Sunnah, the tradition that women are inferior to men in respect to religion and the intellect has been unequivocally explained.... The explanation, one that is commonly offered, is that her "religious inferiority" is because she menstruates and thus is exempted from prayer and fasting at certain times and because the testimony of two women is needed to balance that of one man, since women are naturally more forgetful than men. (The Syrian femininist Fatme Jouyouchi remarks that this latter restriction is a standing joke among Muslim women who maintain that no law is broken when eight women ride in an automobile instead of the required four because eight women equal four persons!) "It is regrettable; " concludes al-Ghazzali, "that some women feel that Islam thinks ill of them..."

A clear statement of this is put forward by Muhammad Abdul-Ra'uaf, Director of the Islamic Centre in Washington, D.C.

"To an ordinary observer, men and women share common biological and mental ingredients which justify and call for their legal,moral and economic equality. Yet there are some somatic differences between men and women, affecting their temperaments, and consequently call in some situations for different but reciprocal sex roles...

"It should be known that a woman cannot be ideal in all her behaviour and conduct, because her biological constitution makes her weak in initiative, will, and personality in a general way.This is what makes her deficient in her work, which she does not complete, and she does not fulfil her

duties as she should. In this case, (the man) must bear with her as much as possible. Meanwhile she should not be left with freedom of action, for this would lead to further deviation and she would ignore her duties and would not fulfil them to the utmost of her capacity."

"A look at the present and the past and at human history shows that the most famous were men. The most famous philosophers,physicians, mathematicians are men and not women, even until this day and even though women have had opportunities for learning for over a hundred years..."

5.5.5. From Religious Point Of View

The commentary of Ml.Idris is substantiated by the verses such as;-
"And (remember) when Allah made His covenant with the Ambiyaa (Prophets), (He said) there are the Books and the wisdom which I have given you."

Risaalat (apostleship) and nabuwat (prophethood) was amongst males only.
"Praise be to Him who transported His servant by night from the Sacred masjid (of Makkah) to the Distant Masjid (of Jerusalem)"

One of the greatest miracles wherein the Rasul of Allah (S.A.W.) spoke to Allah was granted to the male. Similarly Allah spoke to Musa.
"(O Nabi, tell the people) when your Rabb (Sustainer) said to the Malaikah (angels); I am to place a Khalifa (deputy) on Earth..."
The subsequent creation was of Adam (male) as deputy, and not a female.

2) The Rasul of Allah (SAW) said: "Jumuah is such an obligatory (act) that it is obligatory for every Muslim to perform it with Jamaat (in congregation) except for four persons - a slave who is owned by someone, women, children and the sick".

When she is not forced to go out for the important act of juma'ah,how can a woman then be allowed to do so on the pretext of freedom and leadership.

The instructions were given to Adam,in order to prove the worthiness of mankind. This responsibility was not given to the female.

In the Noble Quran Tafseer-e-Usmani-- one finds this verse "Men are made Lords over women for that Allah gave greatness to one over the other". The following commentary is rendered: "The degree of man is greater than the degree of woman." The difference in degree must bring about differences in commandments and injunctions. This differences in their respective laws is all-wise and all- prudent. Justice demands that the weaker sex must be given some lenient laws and the stronger sex must be given more difficult laws befitting his

heavier responsibilities and his field of action. If the woman was given like responsibilities, it would be against the famous hypothesis that "God does not charge anyone except according to his capacity". It is a mercy on the woman that she is given fewer responsibilities and as such more lenient laws."

Men by nature are made lords over women. They are the protectors and defenders of women. They are their masters and husbands. They are their maintainers and cherishers. They are the managers of their affairs. The superiority of man over woman is established on two major grounds; the one is natural and the other is artificial. The natural (Wahbi or God's given) reason is that God has given excellence to some over others in their inherent qualities and virtues. The basic qualities are knowledge and the power of action. In these two basic virtues, which are the source of all other qualities and perfection, man is superior to woman. The experience of the world at large is in total conformity with this fact that man is superior to woman in knowledge and action,and the whole sociology is controlled by this one single fact. The second reason for the superiority of man over woman is material. Men expend their wealth on women such as dowry-gifts, expenses of food, clothing and lodging and other necessities of life.

A summary of a hadith relates: "Once a newly married companion of the Rasul of Allah(S.A.W.). returning (from a journey) to his home saw his wife standing at the door (facing the road). At this he became so angry that he raised his spear to strike his wife but stopped at once when he came to know that a snake inside the house had forced her to the door".

The above denotes that the man is the protector, defender and supervisor of women's activities. From the commentary of Ml.Usmani we learn that men are protectors and defenders of women, which is a mercy to the women who have inherent qualities that make her weak and feeble. Regarding what a woman's role is, the following verses are explicit;
"O people, fear your Rabb, who has created you from a single person and out of him, He created his mate (Hawa-Eve) and from this twain have spread many men and women" (an-Nisa,1)

Woman is created for man who is the asal (original). The asal (original) rules the furu (part), not vice versa.
However, Islam sees her emotion and subjectivity as a strength which helps man, as one can learn from this verse;

"It is He who created you from a single being (Adam) and out of him produced his wife (Hawa-Eve) that HE MAY FIND COMFORT WITH HER."

The purpose of creation of Adam was for Khalifat (vicegerency), while that of Hawa (female) was to comfort Adam, not to rule.

"Your wives are your tillage, therefore go into your tillage in whatever manner you please."

" The women have rights even as they have obligations in an equitable manner."

"Your wives have rights over you as you have rights over them."

" Only a noble man will honour them (women) and only an idiot will insult them."

"The husband is responsible for the maintenance of his wife which includes her right to lodging (sakna), clothing (kiswah)and food and drink (taam wa sharab) and general care (riaya amma)."

The creation of women is for the spreading of mankind, not for rulership. This is further explained in another verse;

" And through them (Adam and Hawa), He bestrewed the earth with countless men and women." and further "Marry such women as please you, two or three or four." Thus definite but different rights are given to men and women.

5.5.6. Polygamy

Polygamy is certainly not imposed; nor is it a universal practice. It is instead regarded as the exception to the norm of monogamy, and its exercise is strongly controlled by social pressures. If it is utilized by Muslim men to facilitate or condone sexual promiscuity, it is no less condemnable in Islamic law, than serial polygamy and adultery, and no less detrimental to the society. Muslims view polygamy as an institution which is to be called into use only under extraordinary circumstances. As such, it has not been generally regarded by Muslim women as ill treatment. Attempts by the feminist movement to focus on eradication of this institution in order to improve the status of women would therefore meet with little sympathy or support.

5.5.7. Women's status within Islamic Laws and Context

The Quran cites men as the protectors of women, the righteousness of the latter being defined in terms of obedience to men.

A predominant theme in contemporary Muslim writing,expressed by both sexes, is the naturalness of the circumstance in which women because of their innate qualities and characteristics have clearly defined rules and cannot appropriate functions reserved for men. Their somatic and phycological differences determine the distinct but complementary duties prescribed for each. Few Muslim women,even those who may be critical of the restrictions imposed by Islam, are sympathetic to much of what they see as characteristic of Western feminism. In Islam women are freed from many of the problems and concerns that are assumed by men.

Woman already enjoys freedom in Islam. The question liberation therefore does not arise.

5.5.8. Islamic Justice,Different But Complementary

Every social institution, no matter how small, needs a leader,for if there is no leadership, chaos and disintegration take over. In the case of the family, the role of leadership belongs to the husband, not because of extra merit, but as a responsibility assigned to him by God to safeguard society.

Men are the sole source of every accepted definition of good conduct whether for men or for women.
Women have never as a rule been a true source of anything to do with ethics or good character, even though they bring up the children. The guidelines are provided by the man.Women have generally misunderstood the Islamic principle. The decrease in the women's responsibility does not mean a decrease in her worth. Justice means that each should do what is best for him or her, and this is what Islam has decreed.

Islam maintains that both types of role are equally deserving of pursuit and respect, and has judged that, when accompanied by the equity demanded by the religion, a division of labour along sex lines is generally beneficial to all members of the society.

It is only in relation to each other and society that a difference is made - a difference of role or function. The rights and responsibilities of a woman are equal to those of a man, but they are not necessarily identical with them.Equality and uniformity are two different things. Islamic tradition maintains - the former desirable, the latter not.Men and women should therefore be complementary to each other in a multi-function society rather than competitive with each other in a uni-function society.

The equality demanded by Islamic traditions must, be seen in its larger context if it is to be understood properly. Since Muslims regard a differentiation of sexual roles to be natural and desirable in the majority of cases, the economic responsibilities of male and female members differ to provide a balance between the physical differences between men and women and the greater responsibility which women carry in the reproductive and rearing activities so necessary to the well-being of the society.

To maintain, therefore, that the men of the family are responsible for providing economically for the women or that women are not equally responsible, is not a dislocation or denial of sexual equality. It is instead a duty to be fulfilled by men as compensation for another responsibility which involves the special ability of women.

Likewise the difference in inheritance for males and females,which is so often cited as an example of discrimination against women, must not be seen as an isolated prescription. It is but one part of a comprehensive system in

which women carry no legal responsibility to support other members of the family, but in which men are bound by law as well as custom to provide for their female relatives.

The Muslim administration of the home should be centred on the principle that the man is chief and is responsible for the administration of the external matters of the home, whereas the woman is responsible for raising the children, social services, and other necessities of society.

It offers the justification for the role of the male as head of the household, as the final decision-maker, and even in some cases as the spiritual authority over his wife and family.

Al-Abrashi says:
"Man is responsible for the demand of life outside the home. The woman is responsible for things she can do with skill, eg, raising children, sewing their clothing, feeding them and bathing them."

"The authority in the house belongs to man. The children belong to him and he spends on them. He is the owner of the house, he furnishes it and spends on it. Thus authority comes from responsibility, not because of a desire to distract from justice, equality, and the consent of women. It is his responsibility to pay for the home and to protect it."

"Allah has established the relation between man and woman; if observed, one notes that the woman is weaker than the man. She comes to him and surrenders to him, knowing well that he is capable of abusing her rights."

The superiority of men over women is evident in the professions in which women have exclusive domain... For the woman has busied herself with the preparation of food since humanity began, she has cooked food since prehistory. She learns it from home in her childhood. She loves food and for it demands appetizers during her pregnancy, while seeking larger quantities of it during breast feeding. However, even after inheriting this profession for thousands of years, she does not reach the proficiency of a man who dedicates a few years to it, nor is she able to compete with him in the excellence of common meals, or in the creation of new tastes or the improvement of the old. She is also incapable of administering a kitchen where there are several workers whether male or female.

Justice is well served in this system, for a woman always knows that the child she is bearing is definitely hers, whereas outside of a strict system as Islam the man never has that certainty concerning those that are called his children.

We must guide boys and girls to roles that affirm their different capabilities. Thus each sex should be placed in a role that is suitable to each.

5.6. The Question Of Leadership

5.6.1. Education Of Women

The differences between man and woman in Islam do not carry with them it the inferiority which the western writers and thinkers tend to squeeze into them.There are many things which on the surface seem low but are in fact higher in spiritual status.Example,submission is seen as a strength when carried out to maintain a peaceful domestic relationship,but has its limits,for women are not bound to carry out injunctions which are against the command and order of Allah.

Women have rights higher than those of voting, these are the rights of a mother, the rights of a wife, of a fiancee, of a friend, who inspires the mind, the emotions and the imagination. If these rights are not realized, or remain only potential in her hands, that would indicate the bankruptcy of her femininity,and these cannot be replaced by law or by constitutional voting rights.

If a woman is to be educated,the most suitable area to concentrate on would be the principles of religion, home-making, child-bearing and what is necessary concerning health, worship and human relations. For she who helps her husband in his life cleaning the house, straightening his bed, and arranging his furniture is better than she who reads the newspaper, writes articles, demands voting rights, and equal participation with men in governing the country.By God she is not fit for that.

"We certainly should like to strengthen our community with educated women," said Muhammed al-Ghazzali in 1953 in a statement with which many would agree, "but we should be alarmed to see women take over the reins of government - this would not be natural."

Writing from the perspective of Islam in the U.S., for example, Muhammad Abdul-Ra'uf of the Islamic Centre in Washington, D.C. explains (p.35): "Advantage should be taken of the woman's body and her flesh should not be put on public display... toleration of an evil leads to other evils. First we condone public exposure; next dating and easy mixing; next;pre-marital relations, and open marriages; next., the elevation of homosexuality to an acceptable normal status; and next, uni-sex marriages. Where; and when, shall we stop?"

"What is the need for a girl to study science and arts etc...when she does not know how to take care of the house and the family?"

The official opinion of the Muslim brotherhood was spelled out by Muhammad al-Gazzali.Min Huna Na'lam (Cairo,n.d) p.204.

"A woman's mission is to be a good wife and a compassionate

mother....an ignorant rural woman is better for the nation than one thousand female lawyers or attorney generals."

And again

"Girls are to be educated in areas that belong to them and not to men. We do not want at all to educate women to be secretaries or managers of offices of government."
A contemporary author warns about the evils of educating women to be equal with men:

"You who persist in educating women: strengthen yourself before you begin your task, make religion her banner waving over her head, and her crown shining over her forehead...or you would lose her character....and would find her education,a path to evil and a way of corruption."

5.6.2. Quality Of Equality

Malak Nasif(1918) in her al-Nisa'iyyat (p.9), states, "When we study the different classes of society and compare the degree to which women mingle with men, we learn for certainty that the class which mingles most freely is the most corrupt."

Shams Pirza's exposition of: "Men have authority over women, because Allah has made one superior to the other... " (p 260) is:(p:80)

"Allah has kept a difference between the physique and constitution of man and that of woman. Their temperaments are also different and for this reason the Shariah has prescribed different duties and responsibilities to the two different sexes. Therefore, the desire of men to become women or of the women to become men and under the influence of this desire to try to resemble one another is an attempt to interfere with the system of nature, and from the viewpoint of the possible result it is quite useless. Similarly, deviating from the rights and duties prescribed by the Shariah and to change the rights and duties of men and women on the basis of equality, amounts to challenging and wresting from Nature and the Shariah. For this reason direction is given to eschew such a mentality and to seek Allah's grace.

(p:84) "Allah has granted men the position of authority. One reason for this is that man is superior to woman on account of his nature and constitution, which provide him with the ability to shoulder this responsibility. Accordingly,man has the ability to guard and protect the woman and also to strive for earning the livelihood. The second reason is that the responsibility of maintaining and feeding his wife and children falls on the shoulders of the man."

Western civilization, which has presented an exaggerated theory of the equality of men and women, has been unsuccessful in fixing the leadership of the family; as a result of this family life in western society, it has been deprived of discipline.It is an undeniable reality that man has

superiority over woman in strength, activity and courage:

This degree of superiority of man is on account of his being a protector and more responsible. Islam has made man Head of the Family, because according to nature he is more fitted for this responsibility. As regards the theory of the equality of the sexes in the West, according to which there should be complete equality between man and woman, it may be mentioned that this is contrary to the demand of nature and wisdom. When there is an obvious difference in the physique and natural capabilities of both the sexes, then their responsibilities should also be different.

That man should have a degree of superiority over woman or that man should be above woman, is quite in consonance with nature and reason. With this exception, Islam not only accepts the rights of women but has taken steps to safeguard them under the Shariah laws. The Islamic Family Laws are based on this principle, and therefore, if this basis is destroyed then the whole social system of Islam will be upset.

The above denotes that women due to their mentality and temperament have to be maintained by men. Also, their responsibilities,rights, duties and fields of activity are different. Moreover, the Western concept of equality between man woman has no place in Islam."

Al-Razi states: "Each of the spouses has rights over the other The purpose of marriage cannot be fulfilled unless they observe their respective rights which are numerous. One of these is that the husband is the leader and custodian." (Kal'amir wal rai).

Al-Razi then quotes Ibn 'Abbas and others on the requirements of pleasant appearance and good companionship which, on the whole, amounts to a diversion from essentially juristic matter to essentially non juristic matters.

According to the majority of classical commentators,the rank given to men over women implies man's superiority on account of "strength, wisdom, and ability to provide maintenance, blood-money (diyya),inheritance and Jihad. To the list,

Al-Razi adds man's eligibility for leadership (Imamat) and judicial function...his right to Talaq and revocation (Raj'a), for a woman is unable to divorce her husband, to revoke a Talaq, or to prevent her husband from revoking it. Similarly, a man's share in the booty is greater than that of the woman.

Leadership is appropriate to the husband.It is thus his duty to protect his wife, and the latter is required to obey him. If she become disobedient, he has the right to discipline her by admonishing her, separating from her, or beating without causing her injury. But what is obedience cannot mean rendering permissible into impermissible and Vice Versa.
That is, only men are qualified to participate in Jihad; they take double the woman's share in inheritance and their blood money (Diyya) is twice that of the woman.

What does it mean, then, to talk of equality for men and women in Islam? First we need to see what kind of changes Islam brought to the status of women and what legal rights it actually guarantees for them.

Modern Muslim writers stress the superior position accorded to women at the time of the prophet and insist that still today non-Muslim women have not achieved the rights assured to women by the Quraan. They see the situation of women in pre-Islamic Arabia as having been dismal and the Prophet as having brought social reforms through the fundamental human rights accorded by the Quaran to all persons.

"This pattern of reciprocal relationship, mutual love, co-operation and dedication," says Abdl-Ra'uf, "is the natural style... This pattern sets a fair equilibrium compatible with sex differences and is by no means inimical to the sense of moral equality. What is important is not quantitative equality,but equity, domestic harmony, peace, love and stability."

"
It is not a matter of rights," says an official statement on Muslim Doctrine and Human Rights in Islam, "but rather a charge for man. It is fortunate for women to be exempted from it." Many Muslim women agree. And what is more, they look at their "liberated" female counterparts in Western society as burdened by great and unnecessary (to say nothing of unnatural) responsibilities from which they are happy that their religion provides a protection.

The attitude on the part of most women continues to be a spirit of co-operation rather than competition with the men of their families and community. Middle Eastern women have no desire to usurp the position of males in the society, and attitudes that reflect a "female against male"approach are foreign to a culture in which such a high priority is put on the complementary nature of the roles of women and men.

Equality will carry an Islamic, not a Western, definition, and in the Muslim mind the role of women must evolve in a pattern consistent with Allah's ordered plan for humankind.

PROPHETIC SAYINGS

1) "Best is the wife that when you look at her she pleases you and when you ask her to do something she obeys you and when you are away from her, she protects you by protecting her virtue and your property."

2) "If I were to ask anyone to prostrate before anyone (other than Allah) I would have ordered the wife to prostrate before her husband."

3) "Should a man invite his wife to bed and she does not respond, then the angels curse her until the daybreak."

4) The Rasul of Allah (S.A.W.) said: "No nation can be successful which gives it matters to be ruled by woman."

This is not a weak or fabricated argument, but authentic and reliable.

Imam Hakim and Imam Shayi in Taklkis Musdarkh has stated it is sound.

Strangely enough Maududi quote this Hadith in his book, "Islamic Law and Constitution" but support a woman candidate Fatima Jinnah in the Pakistan 1965 Elections.

From the above we can conclude that a woman's role is to protect her chastity, honour, and dignity in her husband's absence. She must also safeguard his property and respond positively when he calls her to bed. Moreover that no nation will be successful if it has a woman at the head of it's affairs.

5.6.3. Can a Woman Rule ?

The role of women in Islamic government has often and long been a controversial issue.

Nizam al-Mulk offered this cavat to male rulers:
"Their [women's] commands are mostly the opposite of what is right. And in all ages when the king's wife has dominated the king, nothing but infamy, evil, calamity and corruption has resulted.

The hadith in question sought to illustrate a terse saying attributed to the Prophet Muhammad himself: "Consult them and oppose them."

Nowhere in the Quran has risalaat,nabuwaat, khilafat or leadership ever been assigned to a woman.

5.6.3.1. Women As Private Beings,Not Public Figures

In all the verses,below women have been ordered and encouraged to;

1. cover themselves;
2. remain within their homes;
3. communicate from behind the curtain;
4. refrain from speaking in amorous tones which may lead men astray;
5. walk without attracting anyone.

The role of women as the obedient wife can be discerned in the verses and ahadith quoted below;-

"And REMAIN WITHIN (the walls of) YOUR HOMES and DO NOT DISPLAY YOUR FINERY like the displaying of the (the days of)ignorance of old and establish Salaat and pay Zakaat and obey Allah and His Rasul. Allah wants to take away

uncleanness (or lewdness) from you, O inmates of the house and to purify you (through) purifying."

"And when you ask of them (Nabi's wives) anything, THEN ASK OF THEM FROM BEHIND A CURTAIN-this is purer for your hearts and (for) their hearts."

"O nabi, say to your wives and to your daughters and to the WOMEN OF THE BELIEVERS that (while going out of their homes for urgent needs) they should DRAW THEIR CLOAKS AROUND THEMSELVES,that is more proper, so that they will be known (as chaste and respectable women); so they will not be hurt (or insulted);and (know that) Allah is Forgiving, Merciful."

"O wives of the Nabi (give up the fashions of the Pre-Islamic Days as) you are not like any other women (who do not keep the limits of womanhood); if you want to be on your guard (and fear Allah alone), THEN BE NOT SOFT IN SPEECH (while talking to an outsider), lest he, in whose heart is a disease (on lewdness), desires (your company), and (always speak a just word)."

"And tell the believing women to lower their eyes and to guard their private parts and not to expose their (places of)ornaments (as the head, ears, hands, necks, waist and legs)except what remains exposed thereof (as the palms, toes and face) and let them hang their coverings over their bosoms, and not expose their ornaments except before their husbands;.. and towards Allah together O Believers, so that YOU MAY SUCCEED."

"...and they should not stamp the ground in walking, so as to reveal their hidden decoration ornaments by their jingle."

"Virtuous women are obedient, and guard their (husbands) rights carefully in their absence under the care and watch of Allah."

Women are to subject themselves to their husbands and while the latter are engaged in field work - away from their homes - the women are to protect their honour, dignity and chastity which is the right of their husbands.

The happiest moments for a woman is the hour of her surrender in obedience to her husband. Her greatest desire is to have a husband whose power she can feel.... Being subservient is painful to a living being generally; however, for the woman, subservience to her husband fulfils the purpose of her femininity. She is grateful in her pain and victorious in her obedience.

The best wife is she who is lively but obedient, affectionate and who bears children, who shows deference, obedient to the reins, faithful when he is absent, modest when in company, reverent in her appearance, self-effacing when standing, sincere in her service to her husband, increasing his little

into abundance, and removing his sorrow with her good conduct and gentle conversation. Thus it is recorded in the ahadith:

Jabir(RA) said that the Rasul of Allah (S.A.W.) said,"Beware! A man must not pass (alone) a night near a married woman who has full growth except his being her husband or being one (of the)Maharrams "father, son, brother etc. - with whom marriage would be illegal."Women are not permitted to move around freely or stay alone;these are circumstances which rulers are more likely to be exposed to.

Oqbah bin Amar(RA) said that the Rasul of Allah (S.A.W.) said: "Be careful about coming near women." Then a man asked: "O Rasul of Allah (S.A.W.), do you (also consider) the same about the husband's relatives (his brothers, cousins etc?)" He said. "A husband's relatives are (like) DEATH."

"The ruling idea with regard to men" and women, says Saneya Saleh, "is that the husband and wife should supplement each other, for each has particular features and characteristics.As a result, their functions are quite distinct, and each is entrusted with the functions which are best suited for his and her nature."

"It is reported by al-Bukhari that Sad-ibn-Ubada, a companion of the Rasul was reported to have said; "If I saw a man with my wife, I would strike him with the sharp edge of the sword." Then, the Rasul said (to his companions) "Are you astonished at Sa'd's jealousy? Indeed I'm more jealous than he and Allah is more jealous than I."

He also reports that the prophet said, "The best of the women is the childbearer, the compassionate one who keeps a secret, the chaste, the one dignified in her work, the one submissive to her husband, the one who adorns herself in the presence of her husband, the one inaccessible to anyone but her husband, who listens to his words, obeys his commands and when they are alone offers him whatever he desires of her and does not display the vulgarity of men."That a woman must protect her honour, dignity and chastity in the absence of her husband is further expounded in the ahadith;-

The Rasul of Allah (S.A.W.) said: "From this day no man is to call on a woman in the absence of her husband, unless he is accompanied by one or two other men."This would prevent the woman ruler having urgent and private meetings at odd hours.

Jabir(RA) narrated from the Rasul of Allah (S.A.W.), "Do not visit women whose husbands are absent (from them); because the devil runs through you like the circulation of blood."

A ruler must be able to meet his subjects at any place and on many occasions in privacy to listen to plans, suggestions and complaints. Women would not be able to satisfy and do justice as a ruler in the light of this hadith, due to the restrictions placed upon her.

Rasul of Allah (S.A.W.) said: "A woman is an object to be kept in secret (seclusion). (Because) when she goes out Satan follows her and when she remains inside her home, she remains closer to the mercy of Allah."

A woman is not to be displayed on public platforms outside her role as this brings forth the displeasure of Allah.
The devil constantly misleads, waylaying and misguiding her, and this will then be detrimental to the nation's
progress.

Hafiz Imaduddin, author of Tafseer-ibn-Katheer,quotes ibn Abaas that the wife should be obedient to the husband,appreciate what he does for her and she must protect his property.

Ibn Masud (RA) reported that the Rasul of Allah (S.A.W.) said: "It is better for a woman to offer her prayers in her closet than in the main room of the house, and it is better to offer her prayers in hiding-place than in her closet"

5.6.4. Men And Their Role As Public Figures

Commenting on the verse 4:34,Alausi Baghadhi states :-
"It is befitting the position of the man to rule over the woman as the King over the subjects with commandments to do and not to do and things of that nature.... and it is recorded that the women are imperfect in intellect and deen while the man is the opposite as it is not hidden, having the specialty of risalaat and nabuwat and imamaat kubra and sugra and to uphold the symbols of iqamat, khutaba, jumuah,takbeer, tasreeq according to Abu Hanifa...."

Expounding on the verse 4:34 the author of Zaadul Mazeer fi llmul Tafseer records :- p.1218

"Man made rulers over women to teach them etiquette, to order them to do good and forbid them from evil,like a King is over his subjects and superior due to two qualities--WAHBI AND KAASABI--(given by Allah and attained)--superiority because of more intellect, courage, valour, strength, insight, opinion and from men were the ambiyaa, imaamat kubra, imamaat sugra,jihaad, azaan, khutaba...they are the people of the beard and turban and the perfect itself is to rule over the imperfect." On p.1219,which describes the hadith quoted:

"Best is the one that when you look at her she pleases you and when you ask her to do something she obeys and when you are away from her, she protects you by protecting her virtue and your property."And relates that the Rasul of Allah (S.A.W.), quoting the above, went on to quote the verse "Men are rulers over women..."

While it is stated in Tafseer ul Qaasmi, p.1219 superiority of man is due to; more intellect:receiving more in inheritance and booty,to attend jumuah, and jamaat, to hold the post khilafat and imamaat, engage in jihaad, and the man has right of divorce.p1220

Suyuti says that the husband controls his wife by attending to her upbringing, by teaching her etiquette and by preventing her from going outside (her house) and upon her is obedience to him, except in sin.(Tafseer ul Qaasmi--or MUhseenul Taweel; by Muhammad)

Moreover in Jalalain, Suyuti renders the following commentary for verse 4:34. pp 75-7:

"One who controls women and teaches her etiquette and maintains her because of the superiority of knowledge and intellect and guardianship" Referring to note 24, "controls the affairs of the women like a King controls the affairs of the subjects."; and note no. 26,"he is to provide for her so that she does not have to leave her home";this is also an indication that she should generally not leave her home.note no. 27, is similar to that of Ruhu ul Maani.

The above clearly state that the man is to teach her etiquette and prevent her from going out of the home. Also that she must obey him, except in sin. Concerning the latter, the hadith is clear;

"Rasulullah (S.A.W.) does not permit obedience to a creature by disobeying the Creator."

About the former, the hadith are replete on the issue that the woman should stay at home as stated below:

Aisha(RA) said: "After the order about purdah(veil) was revealed, one night Saodah(RA) (her co-wife) went out of the house for some urgent need, and after returning, she said to Rasul of Allah (S.A.W.), O Rasul of Allah (S.A.W.) I went out for some urgent need when Umar recognized me and said , O you cannot escape my notice" At this, revelation came to the Rasul of Allah (S.A.W.) and he said "Allah has allowed you to go out with due covering for some urgent need."

5.6.5. Can Women Fulfil The Role Of Leadership

A ruler will go out especially for being specifically recognized by the subjects. The understanding of Umar(RA) that women on leaving their homes must not even be recognized was confirmed and sanctioned by Divine Decree,that is by revelation. Abu Huraira(RA) narrated that the Rasul of Allah (S.A.W.) said:
"It is not lawful for any woman that she travels for a night,(except) accompanied by a male mahram."

Thus a woman must travel,at all times under the care and protection of one whom she cannot marry. This could lead to untold difficulties for female rulers.
When a woman's stirring out of the house is not recommended for an obligatory duty, it is evident that her leaving the house for the role of leadership, which for her is far from obligatory, will surely not be recommended.

If a woman, due to necessity, leaves the house, the following

advice has been given to her;

The Rasul of Allah (S.A.W.) says: "But the women should go out in untidy clothes"

In the case of a woman leaving her home due to dire need,she should do so in untidy clothing. Female rulers these days are among the world's "best dressed".

Ayesha(RA) says: "On the occasion of Hajat-ul-Wida (Farewell pilgrimage) if menfolk came before us, we covered our faces with our cloak and removed it when they went away".

During the time of performing an obligatory act, women covered their faces.

Osayed(RA) reports that:"Once while walking, when men and women intermingled on the way, the Rasul of Allah (S.A.W.), asked women to be in the rear and walk on the side of the path. Thereafter the women used to follow this prophetic order so strictly that their clothes used to brush against walls when they walked"

Rulers walk with rulers,and not in the rear brushing the walls.The Rasul of Allah (S.A.W.) said: "The women who use perfume and pass through the people are promiscuous."

When,once a boy was martyred in a battle, his mother came wrapped in a cloak to inquire about him. Those who were present were surprised and asked her why she did not give up the veil in such distress. The lady related, "I have lost my son, not my sense of honour."

A ruler experiences various moods and emotions daily. In this age where affairs of state change hourly which woman ruler would be able to maintain this level of purdah?

Attempts by the feminist movement to focus on eradication of the institution of purdah in order to "improve" the status of women would meet with little sympathy or support.

Added to this,advice has been rendered to the men who come across the women who emerge from their homes out of necessity;-

Jabir bin Abdullah(RA) said: "I asked the Rasul of Allah (S.A.W.) about a sudden glance (at a strange woman). Then he ordered me to turn away my glance (at once form such women)."

People are likely to follow a woman ruler who is approachable and available for their complaints.Since a woman is not allowed to be approached openly by one and all, this definitely would put a strain on a woman in the role of leadership,or lead to mischief via leadership.
Boraidah (RA) narrated that the Rasul of Allah (S.A.W.) said to Ali (RA),"Do not allow your glance (at any strange woman) to follow (another) glance: because the first glance (sudden

glance) is (harmless) for you, whereas the second (glance is not good) for you.

6. ISLAM AND THE IMPROVEMENTS OF THE WOMEN'S POSITION

The question arises what did Islam do for women? What was her status and condition before the advent of the Rasul of Allah (S.A.W.)?

6.1. The Days Of Ignorance

In pre-Islamic society the position of women was considerably lower. The tribes were patriarchal in structure and generally assigned to women a much lower social status.Widows were inherited. The Quran refers to this practice and prohibits it.

"And marry not those women whom your fathers married, except what hath already happened (of that nature) in the past. Lo! it was ever lewdness and abomination, and an evil way."

There were many abominable customs regarding women in the period of ignorance. Despite a measure of freedom, the overall status of women was inferior in pre-Islamic society. If Islamic laws, the source of which is mainly divine revelations and their exemplification through prophetic practices (sunna), are seen in the context of jahiliyya practices, they would be appear to be no less than revolutionary. The Quran greatly improved the social status of women and laid down definite norms, as against mere customs. They could no longer be treated as mere chattels to be traded or objects of sexual lust.Married women thus were described by the Quaran as muhsanat, meaning chaste and secured.

The Quaran, not only did away with all arbitrary practices but set out definite norms and gave women a definite status,although this was not strictly equal to that of men. Seen in the then prevailing social context, it was an unmistakably revolutionary step. The Quaran declares in unambiguous terms:"And they (women) have rights similar to those (of men) over them in kindness, and men are a degree above them. Allah is Mighty, Wise".

6.1.1. Birth Of Daughters

Some killed their children, mainly daughters,because of the fear of poverty as stated in the Quran:

"And kill not your children for the fear of poverty. We provide them livelihood and you also. Surely killing them is a heinous sin."

"And when the girl buried alive shall be asked; for what sin she was slain."

"And slay not your offspring for fear of want. We provide for them and for yourselves. verily their slaying is a great crime."

Moreover they would become depressed when a girl was born. This was rejected by the Quran in these words--

"They attribute to Allah,Glory be to Him. And for themselves they desire them not. When a female child is announced to them, his face grows dark and he is filled with inward gloom because of the bad news, he hides himself from men: should he keep her with disgrace or bury her under the dust? How ill they judge!"

6.1.2. The Marrying Of Widows

When a person died and left a widow or widows, the nearest male relation had merely to cover her or them with his mantle and they become his wives.

6.1.3. Marriage Arrangements

Ayesha's (RA) narration in Bukhari states that there were four types of marriages during the pre Islamic period of ignorance. One type was similar to that of the present days,ie., a man used to ask somebody else for the hand of a girl under his guardianship or for his daughter's hand, gave her mehr(dowry) and then married her. The second type was that a man would say to his wife after she had finished her period, "Send for so and so and have sexual relations with him." Her husband would then keep away from her and would not sleep with her till she got pregnant from the other man with whom she was sleeping. When her pregnancy became evident,her husband would sleep with her if he wished. This was done so that her husband might have a child of noble breed. Such a marriage was called "al-istiba". Another type of marriage was when a group of less than ten men would assemble and approached a woman, and all of them would have sexual relations with her. When she became pregnant and delivered a child, she would send for all of them some days after her delivery and none of them would refuse to come; and when they all gathered before her,she would say to them; "You all know what you have done, and now I have given birth to a child. So it is your child,"She would name whomever she liked, and her child would follow him and he could not refuse to take him. The fourth type of marriage was that many men would enter a have sexual relations with a woman,and she would never refuse anyone who came to her. These were the prostitutes who used to fix flags at their doors as a sign, and he who wished could have sexual intercourse with them. If anyone of them fell pregnant and delivered a child, then all those men would be gathered before her and they would call the "qaifs" (persons skilled in recognizing the likeness of a child to his father) to try and identify the father of the child.

The man could not refuse all that. But Muhammad (S.A.W.) was sent with the truth, he abolished all the types of marriages observed except the type of marriage that people recognize today.

These descriptions of the pre-Islamic period show that:

(a) women were treated like animals or commercial merchandise;
(b) four types of marriage were prevalent in the Days of ignorance;
(c) women were public property to be used without honour or dignity;
(d) morally speaking,women had no significance and no respect was shown to them.

There was in fact no notion of conjugal fidelity among most of the Arab tribes. In old Arabia, the husband was so indifferent to his own or his wife's fidelity, that he would send her to cohabit with another man in order to get himself a noble son.

There was no stain of illegitimacy attached even to the child of a prostitute.

The custom of polyandry ie. a custom of marriage under which a woman takes more than one husband was very common in Arabia.Even a son could take his step-mother as his wife.This most heinous custom was abolished by the Quran.

"... and marry not those women whom your fathers have married, but what is past (is past); surely (such marrying) is an indecency and a heinous affair; and an evil way."

6.1.4. Polygamy And Divorce

There were no laws regulating marriage and divorce. A man married as many women as he liked and divorced as he wished. A man just had to say to his wife; "Thou art to me as the back of my mother." and she was divorced and could not marry another man. A widow did strange things to announce freedom from mourning.

In Bukhari a saying is recorded thus:"... in the pre-Islamic period of Ignorance a widow among you should throw a globe of dung when one year passed (elapsed). I said to Zainab, "What does throwing a globe of dung when one year had passed mean? Zainab said, "When a woman was bereaved of her husband, she would live in a wretched small room and put on the worst clothes she had and not touch any scent till one year had passed. Then she would bring an animal eg. a donkey, a sheep or a bird and rub her body against it. The animal against which she would rub her body scarcely survived. Only then (after above procedure) would she leave the room. Whereupon she would be given a globe of dung which she would throw away and then she would use the scent she liked?

The above was the treatment of women in general in pre-Islamic times. Thus the condition of women can be judged from what has been recorded.

6.2. The Islamic Approach

Islam, the religion of Allah, has liberated women and restored them to their role, to which they were divinely ordained.Islam did not only free women from slavery but also elevated their status to that of human beings and gave

them the right to have their own names, and the right to have possessions.

"Our Rabb! forgive me and my parents (both father and mother)and the believers on the Day of Reckoning."

One prays for loved ones. Man ought to love parents in this world and in the hereafter.

"My Rabb! arouse me to be thankful for your favour wherewith you have favoured me and my parents (both)."

Women also receive divine favours and boons from the Creator Who must be praised for it.

"My Rabb! forgive me and my parents (both)."

Women are to be treated with respect and held in high esteem.

Women are to be shown mercy, prayed for and honoured.

"Your Rabb has decreed that you worship none save Him, and (that you show) kindness to parents (both). If one of them or both of them attain old age with you, say not "uff" to them nor repulse them, but speak to them graciously and lower unto them the wing of submission through mercy, and say; My Rabb!have mercy on them both as they did care for me when I was little."

"And dutiful towards his parents (both), and he was not arrogant, rebellious"

Narrated Abu Huraira (RA); a man came to Rasul of Allah (S.A.W.) and said;"O Rasul of Allah ! Who is more entitled to be treated with the best companionship by me? The Rasul of Allah (S.A.W.) said.
"Your mother." The man said: Who is next?" The Rasul of Allah said: "Your mother" The man for the fourth time said, "Who is next?" The Rasul of Allah said: "Your father."

Narrated by Abdullah-bin Amr (RA); A man said to the Rasul of Allah (S.A.W.), "Shall I participate in Jihaad?" The Rasul of Allah (S.a.W.) said, "Are your parents living?" The man said, "Yes". The Rasul of Allah (S.A.W.) said, "Do jihaad for their benefit."

Narrated by al-Mughira (RA); The Rasul of Allah (S.A.W.) said; Allah has forbidden you; (1) to be undutiful to your mothers; (2) to withhold (what you should give) or (3) to demand what you do not deserve and (4) to bury your daughters alive..."

Asma (R.A.) said, "My mother who was a pagan came with her father during the period of the peace pact between the Muslims and the Quraish. I went to seek the advice of the Rasul of Allah (S.A.W) saying, "My mother has arrived and she is hoping (for my favour). The Rasul of Allah (S.A.W.) said "Yes, be good to your mother."

Narrated Abu huraira ((R.A.) The Rasul of Allah (S.A,W.) said; "The one who looks after and works for a widow and for a person is like one striving in the Path of Allah."
(See Appendix 4 - for more references)

From this perspective, Islam provides for women a position of honour and respect, with clearly stated rights and obligations. The Quran affords legal protection in the marriage, divorce, and inheritance,all of which show a vast improvement over the situation of women in pre-Islamic society.

7. AYESHA (RA) AND THE BATTLE OF THE CAMEL (JAMAL)

Any thesis or discussion on the Role of women in leadership would be incomplete without mentioning the story of Ayesha's (R.A.) participation in the battle of the Camel.This whole episode has been repeatedly misquoted as "proof" for leadership rather that against.Indeed, the opposite is true. It is necessary to explain this event in proper context.

The murder of Caliph Uthman (RA) left Madinah in a chaotic state; whilst a citizen of Madinah carefully wrapped the severed fingers of Naila (wife of the late Caliph) in the blood stained shirt of Uthman (RA),and carried them off to Damascus and laid them at Muawiya's feet. (William Muir,Annals of the Early Caliph--London--1883).

The first major problem for Ali (RA), the new fourth Caliph was to meet the demand of the people to punish the murderers of Uthman (RA), but he thought under the conditions prevalent it would be difficult to seize the real culprits.

Ayesha (RA), wife of the Prophet (S.A.W.), learnt about Uthman's murder when she was at Sarif, a little distance away from Makkah,on the way to Madinah. On receiving this information she asked her attendants to take her back to Makkah.Here she declared her intention of seeking retribution and punishment of the assassins of Uthman (RA). She stood in the Hijri (near the northern walls of the Kaaba) and addressed the people from behind the screen, saying "that the murderers of Uthman had shed sacred blood in the sacred place and in the sacred month, and looted the property which was unlawful for them.

By Allah even if the number of murderers be so large as would not be contained by the entire world, one finger of Uthman would be better than a whole world full of the likes of them"

About 3000 men assembled around in response and although she wanted to return to Madinah, on the advice of her supporters she took the route to Basrah.

Ayesha (RA) lent her support for punishment of Uthman's murderers because she considered it to be a just cause,

otherwise the Islamic system of justice would be irretrievably jeopardized. Her sincerity of purpose is further proven by the incident at Hawab. As the army proceeded it arrived at a little Bedouin village where dogs began barking loudly. On inquiring about the noise, Ayesha was informed that this village was at a spring of Hawab (not far from Basrah). She screamed and immediately ordered the camel to be halted. Then she alighted and told the people to take her back. "Alas, Alas!" she exclaimed and said; "I have heard Muhammad (S.A.W.) say one day, O if I knew which amongst you it is at whom the dogs of Hawab would bark! I declare that I will not take another on this ill-omened expedition." Her followers tried to convince her that the guide had by mistake given the wrong name, but she would not move and the army had to halt there for a day. "In despair, they used a stratagem. The following night they raised the cry that Ali was upon them. This terrified her. She hastened to her camel and the march was resumed.

To narrate in brief, after the peace discussions, led by Al Qaqa from Ali's side, had received a favourable response from Ayesha's side,unfortunately due to mischief-makers the Battle of The Camel took place.

AFTER THE BATTLE

Ali (RA) came to see her and said; "How are you, O my mother?" She replied "Quite well." "May Allah forgive you." said Ali (RA). She repeated the same words to him. In the night she was removed to the town of Basrah.

After a few days Ali (RA) asked Muhammad b. Abi Bakr to make arrangements for Ayesha's return to Madinah and allowed all those who wanted to accompany her to do so also. From Basrah forty women were selected to constitute her entourage. Ali (RA) personally went to bid her farewell, she came out and addressed the people assembled there; "O my sons, we should not be angry with one another, the conflict between Ali and myself was of the nature of OCCASIONAL DIFFERENCES BETWEEN A SON-IN-LAW AND HIS MOTHER-IN-LAW. Undoubtedly, Ali (RA) is a virtuous man". On hearing these words Ali (RA) said; "What the Mother of the Believers has said is absolutely correct. By Allah, our quarrel had been of the NATURE (REFERRED TO BY HER), By Allah she is the wife of our Rasul in this world as well as in the next."

7.1. Comments On The Incident

Both Ali (RA) and Ayesha (RA) regretted what transpired. After the battle when al--Qaqa presented himself before Ayesha (RA), she expressed her regret thus; "Oh Alas! I wish I had DIED twenty YEARS EARLIER";--when he returned to Ali (RA) and mentioned her words to him, HE ALSO REPEATED THEM."

Ayesha (RA) used to WEEP on recalling the incident of the Battle.

"She realized afterwards that to leave coming out was better,

thus when she remembered her coming out, she WEPT so much that her head-cover would become wet"

She used to say "I hope (wish) that perhaps I was a green branch and could not have journeyed."

From the above it is understood that Ayesha (RA) did not go to engage in a battle, nor to claim Khilafat, or Amirship or leadership, but to find a peaceful solution. Moreover she totally regretted her involvement and her coming out of her house to be faced with the consequences of the battle.
Ali (RA) also knew it was not for anything else besides bringing to account the murderers of Uthman (RA) and Ayesha (RA) even classified this as a difference between son-in-law and mother-in-law.

The incident described can not be used to prove the right of women to take up leadership in Islam; on the contrary the event shows that woman should refrain from such delicate responsibilities. Furthermore when we consider what Ayesha (RA) says about women leaving their homes to attend obligatory congregational prayers, then we can judge further whether it is obligatory upon every individual male or female to become leaders.

Another point worth mentioning is that Ayesha (R.A.) has not quoted any saying of Muhammad (S.A.W.) which encouraged a female to leave her home. Hence none of her saying's or advices she gave to the thousands who sought it, contains encouragement towards female leadership. One isolated episode with the initial hesitation and later regret could not and cannot be used as proof for female leadership.In fact, it is quite clear from the sayings above, that it is a clear proof to the contrary i.e. against female
leadership.

(Aishah the Beloved of Muhammed; Nabia Abbot; London; 1985
Ummal Muminin Aishah Siddiqah: Mumtaz Moin; 1982; Delhi Life and Works.)

8. CONCLUSION

In the light of Shariat the duties and right of
Nabuwat,
Azaan,
Iqamat,
Jumuah Khutba,
Eid Khutba,
Imamaat,
Deputy Imam,
Marriage Agent,
War Amir,
Deputy Ruler,
Haj Amir,
as Delegate,
as Khalifa,
Jihaad,

Jamaat salaat and
divorce
are the sole right of the man and not of the women.

Moreover:-
1.Male Imam:The men's salaat is invalid if he follows a woman.

2.Equality:It appears in Fatawa Qazi Khan that when the wife performs salaat with her husband at home, it is not permissible for her feet to be placed parallel with those of the husband.In Muheet it is stated that the salaat is invalid. "Put them in the back just as Allah has put them in the back",
-Ibn Masood.

3.Deputy:If a Woman were to deputise as Imam the salaat of all the Muqtadees would be invalid.
4.End of Pack:The responsibility to announce that idol worshippers would not be allowed to perform Haj was given to the man and not woman.

5.Pact:Any pact or negotiation between the Muslims and others was done by the male delegates and not females.

6.Men are rulers:It is the responsibility of the men to caution,teach,aid,protect,guide,culture,admonish the women.It is his responsibility to provide a dwelling for her to stay in and arrange for food and maintenance so that she does not have to leave her home.(Akhame Quran:Vol.2,p.229);under the verse "Men are rulers over women..." we learn that;

(a) Men have a superior status than women,
(b) Men must teach culture and etiquette to women,
(c) Men have the duty according to Shariat to keep the women at home and not allow her to go outside,
(d) It is necessary for a woman to be obedient and to listen to the man's orders as long as he does not instruct her to commit sin,
(e) It is essential (wajib) in the light of the Shariat for the man to maintain and provide for the woman.

7.Imitation:That which is specific to men remains so and imitation of these things invokes the curse of Allah.Allah curses those men who imitate women and curses those women who imitate men.

8.Warning against electing women as leaders:Abu Huraira (R.A) narrates that the Rasul of Allah (S.A.W.) said that when your rulers are good people and when your wealthy are generous and when you resolve your matters by mutual consultations then to be on the surface of the earth is better than to be inside (dead),when your rulers are evil people and the

wealthy are misers and when your matters are with your women,then the inside of the earth is better than the surface (better to be dead than alive).

9. Admonish:The man has the right to admonish the woman by light beating when necessary and some juriconsults learned in Islamic Law say he can do so if she; swears the man,tears his clothing,grips his beard,calls him a fool or donkey,curses him with or without swearing in colloquial words,swears at a stranger,opens her face in front of a ghair maharam (one whom she can marry),speaks to a stranger or speaks hastily with her husband or due to quarrelling raises her voice so much that strangers can hear.

10. In an Islamic state it is the Haqq (right-duty) of the ruler to lead the funeral prayer (salaat-e-janaza) of the subject.The female is not allowed to lead this prayer.

11. In order to fulfil an important obligation such as Haj,the female can not go alone and require a maharam (one whom she cannot marry) to accompany her.If a maharam is not available she is not allowed to go.As leader movements will be restricted.

12. The rule of non-muslim rulers is no proof that a Muslim women can become rulers,as was the case of the Queen of Sheeba.

13. Moreover the rule of a Muslim woman in an Muslim State does not alter the law but displays disobedience to the divine law.

14. Women cannot become witnesses in cases where Islamic Law of punishment are to be meted out.

15. In affairs of dealing and transacting females cannot become alone without the presence of males.

16. In the absence of one male witness,two females are needed,one will not suffice.

17. A women is not able to read Salaat or Quran whenever she experiences her monthly periods or post-nuptial blood discharge.

18. A female cannot become a judge in cases which pertain to Islamic Law of punishment.

19. A women cannot attend funeral processions.

20. During her monthly periods and pregnancy days she undergoes such emotional set-backs which influences practically all her decisions.

21. A women cannot enter masjids when she is not pure,free from haiz and nifaaz,etc.

22.A women cannot visit the graveyard.

In Islam everyone, men and women, have a role to play in life,with particular responsibilities accompanying each one.

There is no total freedom and no total equality. However, these realities do not prevent persons of talent granting benefit to the society as a whole.

The Prophet said, "The woman is created from a crooked bone.She will not be straightened for you. If you enjoy her you enjoy her curvature (crookedness). If you attempt to straighten her, you will break her and what breaks her is divorce." (Yalgin,al-Bayt,p.84).

Allah says; "it is NOT for the true believers--men and women to take their choice in their affairs if Allah and the Rasul decree otherwise. He that disobeys Allah and His Rasul strays far Indeed". (33:36)

APPENDIX 1

This lists includes those books and journals that do not discuss female leadership although they deliberate on the general role of women in Islam.

1) Hamdard Islamicus: Vol.viii, No.1.
   "The development of women's movements in the Muslim world."
   By Somar F. Masaud. p.81-6.
   -Basically a historical overview of Egypt, Turkey, Iran.

2) The Journal of Jewish Studies: Vol.v.No.1.,1954 p.1-11
"The veil in Judaism and Islam." E.Mary Smallwood.
Showing comparative similarities of this law which existed long before the days of ignorance also. Interesting hadith quoted on p.2-3.

"Ibn Abbas (RA) attributes the following statement in the Prophet during the later part of the Medina period "God has commanded the wives of the believers that when they leave their homes on any errand they should cover their faces from above their heads and cloaks so that they allow one eye to appear".

3) Comparative Studies in Society and History: Vol.15,1973.

"Purdah: Separate worlds and symbolic shelter," Hanna Papanek (University of Chicago), p.289-325. - Discussion on implementation of Purda, especially on Indo-Pakistan Sub continent.

4) International review of Mission: Vol.73.No.289
   Jan 1984. p358-360 from Asian Issues Vol.2,No.2,July 1983.
   "Women in Pakistan ! Two to one."
   Describing the new laws restricting women's movements, eg.

a) disbanding a women's hockey team,
b) women models banned on T.V.
c) working women to be retired, and the reaction this caused demonstrations by women journalist Hilda Saeed of the"The Star".

5) Religion and Society: June 1985: Vol.32.No.2.
a)"Women under the authority of Islam" Asghar Ali Engineer - p.20. Veiling of face, polygamy, divorce laws - pros and cons of it in respect to India. Quotes various commentators.

b)"Impact of Islam on the status of women from the Socio-Cultural Point of View" Muzammil Siddique - p.39
Legal rights mentioned, Muslim World, Vol.64,1984.

6) A study of twentieth century commentary of Sura-al-Nur, p.187. Mark.N.Swanson
Critical discussion on views expressed by Sayyib Qutb,Isa.
Qasmis, Khatibs, Mawdudi, Darwaza's

7) Muslim World, Vol. 1xxiv, July/Oct 1984 No3-4
p.137-160.
"Islam, women and revolution in Twentieth Century Arab Thought", "Yvonne Y.Haddard. Discussion with contemporary scholars on women's role and rights - their views and counter- views.

8) Dissertation Abstracts International:Vol.42A,
1981-1982, p.2285.
"The political Role and status of women in the Muslim World", Carol Jean
- Thesis written about these 5 themes:
1) Education
2) Employment
3) Political Participation
4) Physical Health
5) Fertility

9) Dissertation Abstracts International:Vol.43/07A,
p.2448.
"Walking women in Saudi Arabia", Hallawani Ebtesam Abdul Rahman.
In 7 chapters:basically a summary on a reply to an educational questionnaire; problems and solutions, etc.

10) The Middle East Journal:Vol.43, No.1, Winter 1989.
"The political status of women in the Arab Gulf States" J.E.Peterson. p.42-50.
Sharing political progress of women in Kuwait especially as compared to other states but no legal discussion from Quran, or hadith.

11) International Journal of Middle East Studies: Vol.22.
May 1990, No.2. p 185-200.
"Infanticide in Medieval Muslim Society"

12) Islamic State:a case study of Pakistan Muhammed Imran.
M.Sujuddin & Sons, Lahore 1st.ed,1977.

13) On the Political System of the Islamic State.
Muhammed S El Awa - American Trust.
Publications Indianapolis - Indiana - 1980,2nd Ed.

14) Islamic Social Framework: Prof M.Raihan Sharif.
3rd Ed Sh.Muhammed Ashraf:Lahore:1976
No mention of women's leadership under section "The Basis of the Islamic State.", p.99.

15) Public Duties in Islam: The institution of the Hisba.
Ibn Taymiya: The Islamic Foundation; Leisecter; 1983.
No information on leadership under sections about society and leadership. P.115.

16) Islamic Ideology: Institute of Islamic Culture.
Dr Khalifa Abdul Hakim, Lahore, 3rd ed.1974.
No information under sections about basic concepts of the Islamic State. P189-244.

17) Political concepts in the Quran.
Qararuddin Khan;Islamic Book Foundation;1982.

18) The political thought of Ibn Tayimiyah.
Qararuddin Khan;Islamic Book foundation;1983.

19) Administrative Ethics in a Muslim State.
Shaukat Ali; Publishers United ltd; Lahore; 1975.

20) Ideal Women in Islam: Muhammed Imran.
Islamic Publications; Lahore 1st; ed,June 1979.

21) The Muqaddimah: An Introduction to History.
Ibn Khaldun 1967 Bollingen Foundation.
New York: N.Y. Translated from Arabic by Franz Rosenthal:
Abridged and edited N.J.Dawood.
Under "The meaning of caliphate and imamate", P.154- no information on women leadership, although after discussions rendered.

APPENDIX 2

This includes a list of books and journals referred to that mention Women and that cannot become an Amir/Leader, but do not bring proofs.

1) Constitution of the Arab Empire: Dr.S.A.Q. Husaini
   M.Ashraf: Lahore: 2nd. Impression: 1958.
   -P73 "The Khalifah: His Qualifications:
   The Khalifah must be a member of the tribe of the Quraysh: he must be of male sex..... (on footnote) - Arnold:
   The Caliphate PP 71/72: al Muwardi chapter 1.
   The orient under the Caliphs p.223.
   Ihyaul ulum p.147.

2) The Caliphate: Sir Thomas W. Arnold.
   Adam Publishers & Distribution: Delhi Reprint 1988.
   P71... "he must be of male sex"...
3) Individual and the State: Dr. Abdul Karim Zuidan:
   Printed in Malaysia by Polygraphic Press. 1st. Ed. 1982.
   under section "The Election of Head of State" p.18
   The Head of the State is a man chosen by the community with mutual consent".
   The Muslim world: Vol. 72,1982

4) "Islamization: Religion and Politics in Pakistan"
   John L. Esposito

-stating of history in Pakistan from Bhutto in 1977 to General Zaid-ul-Haaq. Section under women mentions fatawa (religious verdict) by Ml. Noorani declaring women should not hold political office,(p.217)
-no legal discussion entered into.

5) The Middle East Journal: Vol.4.Autumn 1986.
   "Islamic appeal in Tunisa"-Susan Waltz p.651-670

-"The national union of Tunisian women has been accorded sizable resources by the goverment and 400 women were recently elected from a single list ballot to offices of municipal government, a policy more consistent with Islamic tenets would restrict rather than open up opportunities for direct participation by women." - no further info:

6) International Journal of Middle East Studies.
   Vol.22,No.2,May 1990.

"Another view of genuine networks: Tunisian Women and the development of political efficacy",
Susan E. Waltz, p21-36:-P22- "Tunisian women have been minimally involved in the country's public political life".... and a few women serving in the presidential cabinet and the National assembly. They remain just that, however examples as Ferchion observes. The changes which occurred in Tunisia have not changed the image of women, the role they play remaining the same, and the traditional models being taken and updated by more modern socio-professional structures". "A woman is created for the home and children".... Meimissi was reminded of the relevant hadith: "They will never know prosperity, the people who confide their affairs to a woman."

"In the pages that follow is a brief exposition of methods and procedures used to study the experiences of 12 municipal council women elected in May 1985. Observations from that study are discussed to ascertain the role of feminine networks in promoting efficacy among women; no discussion from Quran & Hadith.

7) International Journal of Middle East Studies:
Feb 1988,Vol.20,No.1. P221-243.
"Women, work and ideology in the Islamic Republic",
Val Moghadam.
P227 -: However, women have retained the franchise not withstanding strong sentiments on the part of certain Islamic ideologies against female participation in politics."

"Women are allowed to run for parliament (at this writing there are 2 female parliamentarians) and hold administrative and supervisory posts in the public sector."
"Female Majlis (Parliament) deputies are quoted in the newspapers as protesting the suppression of women's rights as "Un-Islamic" and "Prejudicial".
No discussion from theological point of view.

8) International Journal of Middle East Studies:
Vol.19,Feb. 1987,No.1.P23-50.
"Polermics on the modesty and segregation of women in contemporary Egypt", Valerie J. Hoffman-ladd.
"The issue of women's proper role in society is a lively one in any country today, East or West."
-Goes on to discussion of various scholars for and against the issue, and concludes "that if they be in an "Islamic regime' may prove somewhat less satisfactory for many Egyptian women, if it limits the scope of women's activities outside the home". P44 No information on legal aspect of leadership.

9) Model Islamic Constitution: Ghulam Mujtaba Saleem
W. Ali Printing Press Karachi. 1st Ed;10th 0ct 1989.
-Under the chapter The president, P38:
"a person shall not be qualified for the presidentship unless he is a Muslim...."
No further information.

10) Islamic Concept of a Modern State: Dr Muhammad Shafique (a case study of Pakistan);
Islamic Book Foundation; 1st Ed. Nov. 1987.
-P21 Qualifications of an Amir (President):
"He should be: 1) a Muslim 2) male....."
No further information

11) Modern Islamic Thought: Inayat Hanud
p110; Maududi supported a woman candidate, Fatimah Jinnah, in Pakistan presidential election of 1965,could attain this office although it was not desirable.(Herbeit Feldman: From crisis to crisis, Oxford 1972,p.73).

Lawerance Ziny: The Ayyab Khan Era (Syracuse 1971) p.46-47.
Bahaduri, "Jamal-i-Islam" p.74. Definding Maududis decision on

canonical grounds.

APPENDIX 3

This includes those journals that state women cannot become Amir/Leader of a State but provide minimal proofs for substantiation.

1) The Nature of Islamic Political Theory,
   Muhammad Aziz Ahmad Ma'areef, Limited-Karachi-Pakistan,
   1st ed. 1975.p.116-, under qualifications of elections:
   Mawardi- prescribed a number of qualifications for the electors. An elector should be:
a) of male sex and full age. There is a saying of a prophet to the effect that "a people who appoint a woman as their head, will never prosper under her."
   qualifications of the candidates.
According to Mawardi.....b) be of male sex and of full age - this is added by later jurists like Baidavi and Ghazali....
No detail discussion on issue.

2) The Muslim Conduct of State, Dr Muhammad Hanudullali.
   7th ed; Lahore 1977.
   p.252- Discusses women in Muslim Army.
   p.135- No mention of women under section: Head of State.
   p.153- Under section of women: Head of State.
   Under section, Peaceful Settlement of International Differences: mentions: "According to abu Yusuf, the following categories of people are not fit to be selected as arbitrators: viz: Muslims punishment for scandalising respected ladies,minors, women......"

3) Islamic Law and Constitution: Abulala Maududi.
   Islamic Publications, Ltd. Lahore. 4th Ed; 1969.
a) Under section: rulers and their qualifications: P233
b) Should be male: The Quran says:"men are in charge of women: (14:59) and the Prophet declares:
   "Verily, that nation would not prosper which hands over the reins of it's government to a woman".
   Bukhari-al-Sahihi No further information on issue.

APPENDIX 4

RIGHTS OF PARENTS - MOTHER AND FATHER

1. Worship Allah, treat parents well and serve them;Q.Bani Israel,3.
2. Do not speak harshly to them; Q.Bani Israel,3.
3. As 1; Q.Baqarah,10.
4. As 1; Q.Nisaail,6.
5. Treat them well; Q.Anaam,19.
6. How to speak to parents ? Tafseer Dur Mansoor,Vol.4,p.171.
7. Can one fulfill the rights of parents;Tafseer Ibn Khatheer.Vol.3,p.35.
8. Difficulty which parents bear;Q.Luqman,2.
9. As 1; Q.Ankabooth.
10. When not to obey parents; Tafseer Ibn

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11. Status of parents; Miskhat,p.58,Bukhari and Muslim
12. Treatment of mother to be better than of the father; Miskhat,p.418, Bukhari and Muslim.
13. Via the mother or father one can go to Jannat/Jahannum; Miskhat,p.421,Ibn Maja.
14. Allah's pleasure lies in the mother and father; Dur Mansoor.Vol,4.p,172.Hakim/Bahaqi.
15. To enter Jannat due to serving father; Miskhat,Vol.4,p.173, Hakim and Bahaqi.
16. To see mother/father,parents with mercy earns reward of an accepted haj; Miskhat,p.421,Bahaqi.
17. To see father is ibaadat; Dur Mansoor,vol.4,p.173,Bahaqi
18. If you treat parents well,your child will treat you well; Musdarkh Hakim,vol.4,p.154.
19. Fathers prayer is surely accepted; Miskhat,p.145,Tirmidhi-Ahmed-Ibn Maja.
20. Examples of good treatment to parents; Tafseer Dur Mansoor,vol.4,p.171,Marwayia.
21. Good treatment of parents causes increase in sustenance and life longevity; Ibid,vol.4,p.173,Bahaqi.
22. To earn and to spend on parents is rewarding; Ibid.
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24. Jannat at their feet; Miskhat,p.421,Nisai-Ahmed-Bahaqi.
25. To take permission from parents before going out for Jihaad; Dur Mansoor,vol.4,p.175,Ahmed and Hakim.
26. To make the parents laugh as you made them cry; Musdarkh Hakim,vol.4,p.153,Abu Dawud.
27. The reward of laughing in front of parents and to make them laugh; Dur Mansoor,vol.4,p.173,Bahaqi.
28. Serving parents reward is not less than optional Haj or Umra; Dur Mansoor,vol.4,p.173,Bahaqi.
29. Disobeying parents is from amongst major sins; Miskhat,p.17,Bukhari.
30. Disgraced is one who due to his parents does not enter Jannat; Miskhat,p.418,Muslim.
31. Door of Jannat is opened for one who is obedient and the door of Jahannum is opened for one who is disobedient to parents; Miskhat,p.421,Bahaqi.
32. To look at parents from the side of the eyes is counted amongst bad behaviour; Dur Mansoor,vol.4,p.171, Bahaqi.
33. To swear parents is a major sin; Miskhat,p.419,Bukhari and Muslim.
34. One who curses parents is himself accursed; Bukhari,p.15.
35. One who troubles parents upon him is the curse of Allah; Dur Mansoor,vol.4,p.175.
36. One who kills his parents will be put under the worse punishment; Miskhat,p.421,Bahaqi.
37. One will receive the punishment in this world for harrasing the parents; Miskhat,p.421,Bahaqi.
38. One who troubles parents will not enter Jannat; Miskhat,p.420,Nisai and Darmi.
39. How to fulfill rights of parents after they die; Miskhat,p.420, Abu Daud and Ibn Maja.
40. To pray for parents; Miskhat,p.132, Muslim.
41. Disobedient child classified as obedient if he prays for

parents and seeks forgiveness for them; Miskhat,p.421,Bahaqi.

42. Due to children's prayers parents status increases in Jannat; Miskhat,p.205,Ahmed.
43. To give on behalf of parents charity; Bukhari,p.21.
44. To spend on behalf of deceased parents; Miskhat,p.129,Abu Daud.
45. The blessing on behalf of deceased parents reaches them; Miskhat,p.172,Bahaqi.
46. How a disobedient can become obedient to parents after their demise; Dur Mansoor,vol.4,p.174.
47. To perform Haj/Umra on behalf of parents; Miskhat,p.222,Tirmidhi,Abu Daud and Nisaai.
48. As above,who could not do so due to weakness; Miskhat,p.222,Bukhari and Muslim.
49. Treat Non-Muslim parents well; Bukhari,vol.2,p.884.
50. Make Jihaad for the benefit of parents; Ibid,p.883.

(For more refernces see thesis itself).

APPENDIX 5

AL-NAML: THE ANT (Q.17:44).

17) "And there were gathered together to Solomon, his armies of jinn and men and birds; and they were formed into distinct bands,

18) Until when they came to the valley of the ants, an I ant said: "O ants! Enter your dwellings, lest Solomon and his armies crush you while they are unaware of it.

19) and Solomon smiled, laughing at her words, and said: "My Lord! grant me that I should be grateful for thy favour, two of which thou has bestowed on me, and my parents; and to do such good works as would please Thee; and include me, through thy Mercy, among thy righteous servants." And he re-viewed the birds, and said: "How is it that I do not see Hudhud. Is he among the absentees?

23) I found a woman ruling over them, and she has been given everything (necessary for a sovereign) and she has a magnificent throne.

31) Do not exalt yourself against me, but come to me in submission."

34) She said: "Surely kings, when they enter a town, ruin it, make the noblest of its people to be low, and thus they will do (with us).

36) So when (the Queen's ambassador) came to Solomon, he said:
"What! Will you help me with wealth? But that which Allah has given me, is much better than that which He has given you;Nay, but you rejoice in your (own) gift.

37) Return to them; we will surely come to them with hosts which they shall not be able to resist and we shall drive them out from their disgrace; and they shall be

abased."

38) He Solomon said: "O nobles! Which of you will bring to me her throne, before they come to me surrendering?"

39) A stalwart from among the jinn said: "I will bring it to thee before thy rise from thy place, and indeed I am strong and trustworthy for such work."

40) One who had knowledge of the Book said: " I will bring it to thee in the twinkling of an eye". And when he saw (the throne) set before him, he said: "This is by the grace of my Lord, that he may try me, whether I am grateful or ungrateful;and he who is grateful (to Him) is grateful for the good of his (own) soul; and whoever is ungrateful, truly my Lord is Self-sufficient, Bounteous."

41) He (Solomon) said: "Alter her throne for her that we may see whether she follows the right way or is (one) of those who follow not the right way."

42) And when she came to (Solomon) it was said (to her): "Is thy throne like this?" She replied: "It is as though it were the same. And we were given knowledge before this (concerning your powers) and, we have already submitted."

43) And (all) that which she worshipped, besides Allah, prevented her (from the truth) for she came of a disbelieving people.

44) It was said to her: "Enter the palace!" And when she saw it, she deemed it to be a great expanse of water; and she uncovered her legs (by lifting up her robe) whereupon (Solomon) said to her: "It is a palace, paved smooth with glass." She said: "My Lord! I have wronged my soul (by worshipping false gods); and I submit myself with Solomon, to Allah the Lord of the Worlds." (17-44)-

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